

### **REMARKS**

Claims 1-25 are pending in this application. Claims 1-3, 6-17, 19 and 20 were rejected. Claims 4, 5, and 18 were objected to. The Examiner's reconsideration of the rejection is respectfully requested in view of the following remarks.

Applicants gratefully acknowledge the Examiner's indication that claims 4, 5 and 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicants also gratefully acknowledge the Examiner's indication that claims 21-25 are allowed.

### **REJECTIONS UNDER 35 U.S.C § 103**

Claims 1, 2, 6, 7, 17 and 19 were rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925) ("Kim '925").

It is respectfully submitted that Kim '925 cannot be used as reference to support a rejection under 35 U.S.C § 103. Applicants note that the present application claims priority under 35 U.S.C. § 119 to Korean Patent Application No. 2003-16477, filed on March 17, 2003 ("'477 application"). Kim '925 has a U.S. filing date of July 31, 2003 and was issued on May 24, 2005. Therefore, the priority date of the present application antedates both the U.S. filing and issue dates of the cited reference.

Accordingly, pursuant to sections 2136.03, 706.02(b) and 201.15 of the Manual of Patent Examining Procedure, M.P.E.P. §§ 2136.03, 706.02(b) and 201.15 (Rev. 2, May 2004), Kim '925 may be precluded from being used as a ground for rejection if Applicants perfect priority by submitting an appropriate English translation of the '477

application. Applicants file herewith an English translation of the certified copy of the '477 application and a statement that the translation is accurate.

Therefore, Applicants submit that because the foreign priority date of the '477 application (March 17, 2003) is prior to the both the U.S. filing and issue dates of Kim '925 (July 31, 2003 and May 24, 2005, respectively), Kim '925 cannot be used as a section 102 reference in an obviousness rejection under section 103(a).

Accordingly, for at least the reason that Kim '925 cannot be used as a prior art reference, Applicants respectfully submit that claims 1, 2, 6, 7, 17, and 19 are patentable over Park in view of Kim '925.

Claim 3 was rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925) in view of Ha et al. (U.S. Patent No. 6,704,081). Claims 8-11, 15 and 16 were rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925) in view of Baek et al. (U.S. Application Publication No. 20020036730). Claim 12 was rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925), and Baek et al. (U.S. Application Publication No. 20020036730) in view of Auman et al. (U.S. Patent No. 5,856,432). Claim 20 was rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925) in view of Auman et al. (U.S. Patent No. 5,856,432). Claim 13 was rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925), and Baek et al. (U.S. Application Publication No. 20020036730) in view of Ha et al. (U.S.

Patent No. 6,704,081). Claim 14 was rejected under 35 U.S.C § 103(a) as unpatentable over Park et al. (U.S. Patent No. 6,522,376) in view of Kim et al. (U.S. Patent No. 6,897,925), and Baek et al. (U.S. Application Publication No. 20020036730) in view of Acosta et al. (U.S. Application Publication No. 20030067575).

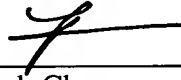
A *prima facie* case of obviousness can be established only upon showing that all claimed elements are disclosed in the combined references. Kim '925 was applied in the rejection under §103 of claims 3, 8, 11-16, and 20. With Kim '925 removed as a prior art reference, a *prima facie* case of obviousness under 35 U.S.C. § 103(a) cannot be sustained.

Accordingly, in view of the earlier priority date of the instant application, Applicants respectfully submit that claims 3, 8, 11-16, and 20 are patentable over the above cited references and any combinations thereof.

Accordingly, withdrawal of the obviousness rejection of claims 3, 8, 11-16, and 20 is respectfully requested.

For the foregoing reasons, the present application, including claims 1-25, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully requested. The Examiner is invited to contact the undersigned if he has any questions or comments in this matter.

Respectfully submitted,

  
\_\_\_\_\_  
Frank Chau  
Reg. No. 34,136  
Attorney for Applicant(s)

F. Chau & Associates, LLC  
130 Woodbury Road  
Woodbury, New York 11797  
TEL: (516) 692-8888  
FAX: (516) 692-8889